

## Chapter 88-9

## S2 SIGN CONTROL COMBINING DISTRICT

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**Article 88-9.2. General**

**88-9.202 S2 sign control combining district.**  
All land within a land use district combined with an S2 combining district shall be subject to the following regulations. (Ord. 74-63).

**88-9.204 Purpose.**

The purpose of this chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, quality of materials, location and maintenance of all signs and sign structures. (Ord. 74-63).

**88-9.206 Objectives.**

(a) The objectives of and justification for this chapter's regulation of signs and outdoor advertising structures are to:

(1) Provide a reasonable system of controls of signs, integrated within the comprehensive zoning plan set forth in this title;

(2) Encourage signs which are well designed and pleasing in appearance, and provide incentive and latitude for variety, good design relationship and spacing;

(3) Encourage a desirable community character with a minimum of overhead clutter;

(4) Enhance the economic value of a community by regulating the size, location, design and illumination of signs;

(5) Attract and direct persons to various activities and enterprises in order to provide for the maximum public convenience;

(6) Encourage signs which are compatible with adjacent land uses; and

(7) Reduce traffic and safety hazards through proper location and design of signs.

(b) The attractiveness of the community is an important factor of the general welfare of the citizens of the county, and reasonable control of signs is in the public interest. (Ord. 77-110 § 3, 74-63).

**Article 88-9.4. Definitions**

**88-9.402 General.**

Unless otherwise specially provided or required by the context, the following terms have the indicated meanings in this chapter. (Ord. 74-63).

**88-9.404 A-board.**

An "A-board" is a portable sign capable of standing without support or attachment. (Ord. 74-63).

**88-9.406 Accessory sign.**

An "accessory sign" is a sign which identifies the business or organization located on the premises, or advertises or informs about business, products or services sold or rendered on the premises. (Ord. 74-63).

**88-9.408 Community directional sign.**

A "community directional sign" is a sign directing to or informing of the location of a community service organization, public facility, church or other place of public worship, hospital, school, cemetery, eleemosynary institution, or the like. (Ord. 74-63).

**88-9.410 Construction sign.**

A "construction sign" is a sign identifying the architect, engineer or contractor directly connected with a construction, repair or renovation which is in progress. (Ord. 74-63).

**88-9.412 Freestanding sign.**

A "freestanding sign" is a sign which is independently supported in a fixed location and not attached in any way to a building or structure. (Ord. 74-63).

**88-9.414 Frontage, lot.**

The "frontage of a lot" is the length of the property line which is also the right-of-way of a public street; and if the lot fronts on more than one street, the longest such property line is the frontage of the lot. (Ord. 74-63).

**88-9.416 Frontage, premises.**

The "frontage of premises" is measured along the horizontal dimension of a frontal elevation of the premises in which there is public entrance and which faces either a public street or other public open place. (Ord. 74-63).

**88-9.418 Mobile sign.**

A "mobile sign" is a sign mounted on any type of device which is movable or capable of being moved by a vehicle. (Ord. 74-63).

**88-9.420 Moving sign.**

A "moving sign" is a sign which has actual or apparent moving, revolving or rotating parts actuated by an electrical, mechanical or other device or by wind current. (Ord. 74-63).

**88-9.422 Nonaccessory sign.**

A "nonaccessory sign" is a sign to advertise something other than the name or occupation of the user of the premises on which the sign is located, or the nature of the business or activity conducted thereon, or goods and services other than those primarily sold, produced or manufactured thereon. (Ord. 74-63).

**88-9.423 Nonconforming sign.**

A "nonconforming sign" is one lawful before the provisions of this chapter or of any relevant amendment hereto is effective but which thereupon violates them.

**88-9.424 Permanent sign.**

A "permanent sign" is a sign intended or constructed to be used for a period of ninety calendar days or more. (Ord. 74-63).

**88-9.426 Political sign.**

A "political sign" is a sign designed for the purpose of advertising support of or opposition to a candidate or proposition. (Ord. 74-63).

**88-9.428 Projecting sign.**

A "projecting sign" is a sign, other than a wall sign, which is suspended or supported by a building or wall and which projects out from the building or wall. (Ord. 74-63).

**88-9.430 Reader board.**

A "reader board" is a permanent structure upon which is displayed advertising material or copy of a temporary or changeable nature. (Ord. 74-63).

**88-9.432 Shingle sign.**

A "shingle sign" is a wooden sign which is suspended below a canopy, overhang or covered walkway, is not internally illuminated, and is used only to announce the name of the business conducted and the principal classification and brand of goods sold or service offered on the premises. (Ord. 74-63).

**88-9.434 Sign.**

"Sign" means any structure, building or natural object or surface, or any device or arrangement attached to or painted or represented thereon, which attracts or is intended to attract attention to an object, product, place, activity, person, institution, organization or business, or which displays or includes a letter, word, model, figure, banner, flag pennant, insignia, device or representation used as, or which is in the nature of, an announcement, direction, advertisement, declaration or illustration. (Ord. 74-63).

**88-9.436 Temporary sign.**

A "temporary sign" is a sign intended and constructed to be used for a period less than ninety calendar days. (Ord. 74-63).

**88-9.438 Use.**

"Use" means a purpose or activity for which the land or building is designed, arranged, intended, or for which it is occupied or maintained, to function as a separate unit. (Ord. 74-63).

**88-9.440 Window sign.**

A "window sign" is a sign maintained or painted on a window, not including a placard placed on or attached to a window. (Ord. 74-63).

**Article 88-9.6. Prohibitions, Exemptions****88-9.602 Prohibited signs.**

- (a) No person shall erect or maintain a sign contrary to the provisions of this code.
- (b) No person shall erect or maintain a mobile sign, moving sign, nonaccessory sign, flashing or blinking sign or reader board.
- (c) No person shall erect or maintain a sign which is:
  - (1) Dilapidated;
  - (2) Portable;
  - (3) Attached to a fence;
  - (4) Painted on or attached to a vehicle which is parked for purpose of advertising to the passing public;

- (5) Painted on a wall, bench, structure or building;
- (6) Supported by exposed wires or cables;
- (7) Is designed, placed or oriented for freeway exposure, except frontages facing in the direction of the freeway; or
- (8) Is designed with external neon lighting. (Ords. 77-110 § 4, 74-63).

**88-9.604 Exempt signs.**

The following signs are exempt from this chapter, except as otherwise specified and except as to regulations pertaining in general to location of signs with reference to street intersections and freeways:

- (1) Signs of a governmental agency, including a traffic or similar required regulating device or warning device;
- (2) Memorial or historical tablets or signs;
- (3) Nameplate indicating the name and address of an occupant;
- (4) Signs required to be maintained by law or governmental order, rule or regulation; however, if the sign area is not prescribed, it shall not exceed ten square feet per lot;
- (5) One flag of a civic, philanthropic, educational and religious organization for each such premises;
- (6) Signs (not over four square feet in sign area each) for the direction or convenience of public (such as to identify restrooms, location of public telephones, freight entrance and exit, or the like, or no-trespassing or danger signs);
- (7) Barber poles; and
- (8) Signs which cannot be seen from a public street or adjacent property. (Ords. 77-110 § 5, 74-63).

**Article 88-9.8. General Regulations****88-9.802 Area computed.**

A sign's area is its display surface area; and it is computed by including the maximum single display surface which is visible from a ground position, and excluding the structure supporting a sign unless the structure is designed in a way to form an integral background for the display. (Ord. 74-63).

**88-9.804 Area—General.**

No sign shall have an area exceeding two hundred square feet. (Ord. 74-63).

**88-9.806 Area—Churches.**

No bulletin board for a church or similar institution announcing its name and activities shall exceed twelve square feet in sign area. (Ord. 74-63).

**88-9.808 Area—Lots.**

No sign on a lot where no building exists shall have an area exceeding one and one-half square feet per one thousand square feet of lot area, but not over sixteen square feet of sign area. (Ord. 74-63).

**88-9.810 Area—Walls.**

No sign on a wall shall have an area exceeding ten percent of the wall's area excluding the area of all other signs on the frontage of the premises. (Ord. 74-63).

**88-9.812 Area—Windows.**

No window sign, including temporary window signs, shall have an area exceeding ten percent of the area of the window on which it is placed. (Ords. 77-110 § 6, 74-63).

**88-9.814 Area—Shingles.**

No shingle sign shall exceed five square feet in area. (Ords. 77-110 § 7, 74-63).

**88-9.820 Location.**

All signs shall be located only on the frontage of premises, but on not more than two frontages of any one premises. (Ord. 74-63).

**88-9.822 Letters.**

No letter or character contained in a sign shall be over four feet high. (Ords. 77-110 § 8, 74-63).

**88-9.824 Projections, heights.**

(a) No sign or portion thereof (including towers, frames, or other protrusions considered part of the sign) shall project above the eaves, fascia, or parapet of the building to which it is attached; except signs may be located on the lower front slope of a mansard roof if they are located forward of the front wall of a building and do not exceed fifteen feet height above ground grade at front of building.

(b) No sign shall project more than one foot from the wall of a building; except, that a shingle sign may extend a maximum of six feet but shall not extend lower than seven feet four inches above the sidewalk.

(c) No signs on walls shall extend higher than fifteen feet above the ground. (Ords. 77-110 § 9, 74-63).

**88-9.826 Vehicles.**

No vehicle which has attached to it, leaning against it or suspended from it a sign, not an integral part of the vehicle, except political signs, shall be parked on a street or lot. Vehicles with political signs shall not be parked for more than twenty-four hours on any lot. (Ord. 74-63).

**88-9.828 Obsolete advertisement.**

Any sign which advertises a service, product, activity or land use shall be removed immediately upon suspension, termination or abandonment of the service, product, activity or use. (Ord. 74-63).

**88-9.830 Upkeep.**

Every sign shall be kept up and maintained in a secure and safe condition. If the sign is not secure and safe, kept up and in a good state of repair, the planning department shall give written notice of this fact to the owner of the property or person responsible for the maintenance of the sign. If the condition is not corrected or eliminated within the time specified, the permit may be revoked and the sign removed in the manner provided. (Ord. 74-63).

**88-9.840 Illegal signs, nuisances.**

(a) Declaration. Every sign violating this code, or existing outside or unremoved after its listed time period, or being abandoned, or being unsafe and imperiling the safety of persons or property, is a public nuisance.

(b) Abatement. In such cases, the planning department may mail to the owner of the property on which the sign is located, and to the owner of the sign or the person for whose benefit it was made, written notice of such violation or condition and demand that he remedy the same within thirty days or the county will remove the sign and sign structure and the cost of removal will become a lien against the property upon recordation of a document to this effect. (Ord. 74-63).

**Article 88-9.10. Special Regulations**

**88-9.1002 Freestanding signs.**

(a) Height. No portion of a freestanding sign shall be higher than the roof line of the building on the lot or twelve feet, whichever is lower.

(b) Area. The sign area shall not exceed one square foot up to a maximum of thirty-five square feet, for each one hundred square feet of lot area.

(c) Number. There shall not be more than one per shopping center complex, area, development or building, under single control.

(d) **Design.** The design shall be architecturally compatible with the building or complex it is serving.

(e) **Lot Size.** There shall be no freestanding signs on lots with a frontage of one hundred twenty-five feet or less.

(f) **Display Surfaces.** Display surfaces shall be back-to-back, and shall not exceed two in number. A back-to-back sign is considered as a single face for area computation.

(g) A freestanding sign shall not contain information other than the address of the premises, and either:

- (1) The name of building complex; or
- (2) The logo and/or name of a single tenant. (Ords. 77-110 § 10, 74-63).

#### **88-9.1004 Political sign time limits.**

Political signs may be erected or displayed before an election until ten days after the election, inclusive. (Ords. 92-36 § 4, 77-110 § 11, 74-63).

#### **88-9.1006 "For sale," "for lease," and contractors.**

(a) **Number.** There may be only one temporary accessory sign on any lot or premises advertising the land or premises for sale or lease, or construction work thereon.

(b) **Area.** The area shall not exceed twelve square feet.

(c) **Time Limit.** The sign shall be removed within fifteen days after the sale or lease is made, or the construction is completed. (Ord. 74-63).

#### **88-9.1008 Service clubs.**

Despite Section 88-9.602(a), one nonaccessory, freestanding sign structure for service clubs shall be permitted at each main entrance to the community, if the zoning administrator approves its location, size, height, width and general design, before its erection. (Ord. 74-63).

#### **88-9.1010 Community directional signs.**

Such signs are limited to two directional signs per land use, each not exceeding three square feet in sign area. (Ord. 74-63).

### **Article 88-9.12. Administration**

#### **88-9.1202 Sign review procedure.**

(a) All sign applications shall be reviewed by the zoning administrator as provided in Section 26-2.1204 and related procedural provisions.

(b) The board may appoint a sign advisory committee for the zoning administrator to consult with. (Ord. 74-63).

#### **88-9.1204 Findings required.**

Before approving an application, the zoning administrator must find that the following conditions are met:

(1) The sign is compatible with the character and design of the exterior architecture of the property and area where it is located; and

(2) The location of the sign will not impair the use of the property or conflict with the visibility, location or arrangement of existing adjacent signs. (Ords. 77-110 § 12, 74-63).

#### **88-9.1210 Nonconforming signs.**

(a) No person shall make surface or structural changes to a nonconforming sign which might prolong its life, except to make it conform to all of the requirements of this code.

(b) The owner of a nonconforming sign shall remove it, or modify it to conform, within six months of notification of nonconformity, unless an extension of time for amortization is allowed. (Ord. 74-63).

#### **88-9.1212 Time extension for amortization.**

(a) The owner of a nonconforming sign may apply to the zoning administrator for an extension of time within which the sign must be removed. The application suspends the running of the period within which the sign must be removed.

(b) The application shall contain the name and address of the sign owner and owner of property, if different, the type of sign, the date erected, the cost of construction, revenue derived, a detailed statement of reasons for the request for an extension, and the length of time extension is being requested.

(c) The zoning administrator shall consider evidence for and against the extension, such as:

(1) The economic hardship upon the sign owner and landowner, taking into consideration the investment cost, the revenue derived, and the condition and estimated life of the sign;

(2) The interest and status of the sign owner or user on the property and immediate changes in the use of the property.

(d) If the zoning administrator finds, upon the basis of such evidence, that circumstances warrant granting an extension of time within which to amortize, he may fix

such reasonable time but not to exceed three years. No more than one three-year extension may be granted.

(e) No extension shall be granted for portable signs or signs painted on buildings or structures. (Ord. 74-63).

**88-9.1220 Variances.**

Variances from any of the regulations in this chapter may be granted as provided in Section 26-2.1204 and related procedural provisions. Special consideration may be given to coordinated sign programs for blocks, clusters or groups of buildings, and to shopping center, theater and kiosk signs. (Ord. 74-63).

**Chapter 88-11**

**SURFACE MINING AND RECLAMATION**

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**Article 88-11.2. General**

**88-11.202 Purpose.**

This chapter effectuates the Surface Mining and Reclamation Act of 1975 ("SMARA") (Public Resources Code Sections 2710 and following), including future amendments thereto, and constitutes the ordinance referred to in Section 2774 therein. (Ords. 2000-18 § 2; 79-114).

**88-11.204 Goals.**

- This chapter is intended to assure that:
- (1) County regulations and procedures governing the establishment, use and reclamation of mined lands are in accord with the county general plan; and
  - (2) Mineral deposits which are valuable to the economy of the county and the bay area can be utilized; and
  - (3) Adverse land use and environmental effects caused by surface mining operations are prevented or minimized, and mined lands are reclaimed to a condition which is readily adaptable for future land uses; and
  - (4) Residual hazards to the public health and safety are prevented or minimized; and